IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1342 OF 2005

New India Assurance Co. Ltd. ..Appellants

versus

Tanaji K. Jambhulkar & Ors. ..Respondents

Mr. S. M. Vidyarthi for the Appellants.

Mr. V. G. Shirude h/f. B. G. Tangsali for the Respondent No.s.

CORAM : D. G. DESHPANDE,J.

DATE : 19TH SEPTEMBER,2005

P.C. :

1. Heard.

2. This Appeal is filed by the Insurance Company against the Order of the Commissioner for Workmen's Compensation where compensation of Rs.5,16,672/- was awarded to the Respondent No.1, who suffered permanent disablement due to accident wherein his leg had to be imputed. Counsel for the appellants contended that, firstly, there is no nexus between the accident and the imputation. Secondly, the accident took place on 18.9.2001 and

the imputation was of 10.10.2001 i.e. after 22 days or so. Thirdly, no medical papers were produced.

3. The fact that the respondent No. 1 suffered an accident and his leg was required to be imputed are conclusively proved facts. The imputation is a result of the accident and the accident is also proved. Therefore, the Commissioner was fully justified in awarding the compensation. No other point was raised. There is no merit in the Appeal, the same is dismissed along with Civil application. No order as to costs.

19.9.2005 (D.G. DESHPANDE, J.)